IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 3418 of 2004

Between:

Kolanu Narasimha Reddy, s/o late Subhan Reddy,
r/o 1-5/2, Nizampet village, Quthbullahpur Mandal,
Ranga Reddy District

..... PETITIONER

AND

1 State of Andhra Pradesh, rep by its Secretary, Home

Department, Secretariat, Hyderabad
2 The Commissioner of Police, Cyberabad, Lakadikapool,

Hyderabad
3 The Inspector of Police, Kukatpally Police Station,
Kukatpally, Ranga Reddy District
4 Smt. N.Seetharamma, w/o P.Prabhat,
r/o S3, B Block, Asbestors Qts, Sanathnagar, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the unwarranted interference of the respondent No.3 against the orders of status quo vide I.A.No.2111 of 2002 in O.S.No.1033 of 2002 on the file of the 1st Addl. Senior Civil Judge, Ranga Reddy District, in interfering with the suit schedule property of 0.12 guntas in Sy.No.210 at Nizampet village, Quthbullahpur Mandal, R. R. District, as unjust, illegal, and arbitary.

Counsel fo the Petitioner: Mr.R.V.Venkata Kumar

Counsel for Respondents 1 to 3: The Government Pleader for Home.

Counsel for Respondent No.4: A.Pulla Reddy

The Court made the following Order:

This writ petition is filed complaining that the fourth respondent at the influence of the third respondent pressurizing the petitioner to hand over the land, which is in possession of the petitioner, in spite of the perpetual injunction orders dated 13-08-1998 on the file of the First Additional Senior Civil Judge, Ranga Reddy District in O.S.No.41 of 1998 obtained in respect of the said land by the father of the petitioner.

Respondents 1 to 3 filed counter-affidavit stating that the husband of the fourth respondent lodged a complaint on 21-12-2003 against the petitioner and his son stating that they trespassed into the land in plot Nos.126, 127 and 532, admeasuring 532 Sq.yards, in Sy.No.245 of Nizampet village and by threatening him with dire consequences constructed a wall occupying half of their land. Basing on the said complaint Crime No.1045 of 2003 under Sections 447, 426 and 506 IPC was registered against the petitioner and the same is under investigation and the petitioner was never directed by the third respondent to settle the same with fourth respondent at any point of time.

Heard both sides.

If the petitioner is aggrieved of the crime registered against him, he can make a representation to the District Superintendent of Police along with the orders of perpetual injunction obtained by his father in O.S.No.41 of 1998, dated 13-08-1999. However, the police concerned, except investigating and filing the report in the crime registered against the petitioner herein and his son, shall not call them to the Police station unless they are required for recording any statements with prior notice and the petitioner should attend the enquiry, if any, with the assistance of an Advocate.

With the above observation, the writ petition is disposed of. No costs.

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13-07-2004

kdl/vrn

To

1 State of Andhra Pradesh, rep by its Secretary, Home

Department, Secretariat, Hyderabad
2 The Commissioner of Police, Cyberabad, Lakadikapool,

Hyderabad
3 The Inspector of Police, Kukatpally Police Station,
Kukatpally, Ranga Reddy District
4 Two C.Cs to the Government Pleader for Home, High Court

Buildings, Hyderabad (OUT)

5 Two C.D. copies.